

## Jeopardy Assessment

*Proposed Incidental Take Permit:* Northern Natural Gas Company Pipe Abandonment Project (ITP 344)

*Species:* Wood Turtle

*Location:* Jackson County

### Background

#### *Project Information*

Northern Natural Gas Company is proposing to abandon approximately 6.75 miles of 6-inch-diameter pipe to eliminate several shallow segments of the pipeline in Jackson County. Within the overall project area, one stream crossing has been determined to have potential to impact wood turtles.

#### *Species Information*

Wood turtles (*Glyptemys insculpta*), a Threatened Species in Wisconsin, prefer rivers and streams with adjacent riparian wetlands and upland deciduous forests. This species often forages in open wet meadows or in shrub-carr habitats dominated by speckled alder. They overwinter in streams and rivers in deep holes or undercut banks where there is enough water flow to prevent freezing. This semi-terrestrial species typically remains within 300 m (984 ft) of rivers and streams. This species becomes active in spring as soon as the ice is gone and air temperatures reach around 50° F, which can occur as early as mid-March. They may remain active into late October but have been seen breeding under the ice. Wood turtles can breed at any time of year, but breeding primarily occurs during the spring or fall. Nesting usually begins in late May in southern WI and early June in northern WI and continues through June. This species nests in open or semi-open canopy areas containing gravel or sandy soils, typically within 61 m (200 ft) of the water. Hatching occurs in 55-75 days (mid-July through mid-September) depending on air temperatures. This species does not overwinter in nests, unlike some other Wisconsin turtle species.

### Conservation Measures

The measures outlined below are designed to minimize impacts to the wood turtle during the inactive period:

1. Construction in turtle nesting habitat (sandy areas with open or semi-open canopy within 200 feet of a suitable stream/river) will take place after October 1, which is after the nesting season.
2. Instream work after October 1 could impact overwintering wood turtles. Northern has reduced work within the waterway to the greatest extent possible. No portion of pipe will be cut above or within the waterway. The exposed segment of pipe will be cut and capped within two excavations set back from the banks of the waterway. The exposed pipe spanning the waterway will be removed through the existing holes in the banks of the waterway. If needed, Northern will utilize slings to lift the pipe within the waterway and ensure the substrate is not negatively impacted, during removal.
3. Adjacent to the waterway, Northern has reduced Project workspaces to only the areas necessary to complete the removal. Vegetation clearing and areas of excavation will be limited to two small holes, each no greater than 50-foot by 50-foot, will be used to locate, cut, cap, and remove the exposed portion of pipe. The excavations will only be open as long as necessary to complete the removal.

4. All individuals working on the project site (e.g., engineers, construction crew, biologists) will be trained on how to identify wood turtles and instructed on the general conservation measures associated with the Incidental Take Permit, including what to do if a wood turtle is observed within the project area.
5. Immediately prior to removal of the exposed pipe, a qualified biologist from Stantec, who has an E/T Permit to handle wood turtles, will be onsite to survey for inactive wood turtles in the creek surrounding the exposed pipe. If a wood turtle is found the biologist will transport the turtle to a wildlife rehabilitator. The biologist will remain onsite until the pipe has been fully removed.
6. Erosion control measures will consist of erosion control logs, silt fence, and timber matting.
7. Plastic or polypropylene netting associated with erosion matting (also known as an erosion control blanket or erosion mesh netting) without independent movement of strands can easily entrap snakes and other wildlife moving through the area, and cause dehydration, desiccation, and eventually mortality. Biodegradable jute/twine netting with the “leno” or “gauze” weave (contains strands that are able to move independently) has the least impact on reptiles. Any erosion matting used for the Project will be American Excelsior “FibreNet” or “NetFree” products, East Coast Erosion biodegradable jute products, Erosion Tech biodegradable jute products, ErosionControlBlanket.com biodegradable leno weave products; North American Green S75BN, S150BN, SC150BN or C125BN, or Western Excelsior “All Natural” products.
8. Once the pipe is removed from the banks of the creek, the evacuated hole in the bank will be backfilled with the surrounding bank material.
9. The use of riprap on the banks of the creek is not allowed under this Incidental Take Permit.
10. Upon completion of the Project, all areas of temporary disturbance will be restored to pre-existing (or better) conditions.
11. Final restoration will be completed immediately following the completion of construction. Permanent stabilization will be completed in the fall of 2019.
12. Specific upland and wetland seed mixes, as needed, in conjunction with erosion control BMPs, will be implemented wherever soil disturbance is noted. To ensure compliance with environmental standards and to reduce impacts to the environment, an environmental monitor will be on site periodically during construction to help maintain compliance with permitting conditions.
13. Federal Energy Regulatory Commission (FERC) Upland Erosion Control, Revegetation and Maintenance Plan and Wetland and Waterbody Construction and Mitigation Procedures will be followed for all project activities.
14. Any wood turtles observed in the Project workspace will immediately be removed from the construction area. All individuals removed from the construction area will be transported to a wildlife rehabilitator and reported to the Endangered Resources Utility Liaison ([stacy.rowe@wi.gov](mailto:stacy.rowe@wi.gov)). Contact information for a wildlife rehabilitator (<http://dnr.wi.gov/topic/wildlifehabitat/directory.html>) or veterinarian will be compiled, prior to the project start date, for consultation if any injured wood turtles are encountered.
15. In the unlikely event that dead wood turtles are found in the Project area, Northern will record data about the individuals (species, approximate age, possible cause of death), photograph them, and

reported these data to the Endangered Resources Utility Liaison (stacy.rowe@wi.gov) at the conclusion of the Project.

16. Mitigation is not required for this project because there will be no permanent loss of habitat.

If minor changes to the Conservation Plan are required, due to unforeseen circumstances, Northern will obtain approval (e.g., email correspondence) from the WDNR's ER Utility Liaison.

### **Jeopardy Assessment**

The proposed activity will minimize and mitigate impacts to the wood turtle and as a result, we anticipate that take of this species will be low. The department has determined that the proposed activity is not likely to appreciably reduce the likelihood of the survival or recovery of the wood turtle within the state, the whole plant-animal community of which it is a part or the habitat that is critical to its existence.